

Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 240715

45

ORIGIN OES-04

INFO OCT-01 EA-07 ISO-00 ERDA-05 ACDA-05 CIAE-00 INR-07

IO-10 L-03 NSAE-00 NSC-05 EB-07 NRC-05 FEAE-00

DODE-00 COME-00 /059 R

DRAFTED BY OES/NET/IM:DHOYLE
APPROVED BY OES/NET/IM:DHOYLE
ERDA/ISA - J.KRATZ (SUBS)
EA/J - D.SMITH

----- 047279

P 091331Z OCT 75

FM SECSTATE WASHDC

TO AMEMBASSY TOKYO PRIORITY

LIMITED OFFICIAL USE STATE 240715

E.O. 11652: NA

TAGS: TECH, JA

SUBJECT: DEPARTMENT OF COMMERCE NUCLEAR EXPORT REGULATIONS

REF: A. STATE 233999 B. TOKYO 13902

1. REFTELS APPARENTLY CROSSED. REFTEL B CONTAINS MORE BACKGROUND THAN WE RECEIVED FROM MURAKAMI, WHICH IS APPRECIATED. LATTER ALSO CORRECTLY INDICATES THAT EIGHT, RATHER THAN TWELVE, "AUTHORIZED PERSONS" LETTERS WERE FORWARDED BY MURAKAMI. (DIFFERENCE APPARENTLY IS THE FOUR CASES WHERE MOFA UNABLE IDENTIFY JAPANESE END USER.) REFTEL A REPORTS U.S. REACTION TO MITI PROPOSAL ON NON-ZANGGER LIST ITEMS AND U.S. COUNTERPROPOSAL, TO WHICH JAPANESE REACTION STILL BEING AWAITED.

2. WITH REGARD PARA 6 REFTEL B, THERE APPEARS TO BE ONLY THREE CASES, RATHER THAN FOUR MENTIONED, WHICH ARE LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 240715

SPECIFICALLY IDENTIFIED. THESE FOUR INVOLVE ONE JAPANESE-

AMERICAN AND THREE AMERICAN EXPORT LICENSE APPLICANTS WHICH MAY EXPLAIN WHY MOFA IS HAVING DIFFICULTY IDENTIFYING END-USER. WITH REGARD SUBSTANCE MOFA REQUEST FOR FURTHER INFORMATION, ON JUNE 30, 1975, SECRETARY OF COMMERCE AUTHORIZED RELEASE OF INFORMATION, CONSIDERED AS

UNDER U.S. EXPORT ADMINISTRATION ACT OF 1969, ON IDENTIFY OF EXPORTER, PRODUCER OR EXPORTER AND OTHER DETAILS WHICH DISCLOSE THE PARTIES INVOLVED. THE SECRETARY'S RELEASE WAS CONTINGENT ON THE DEPARTMENT OF COMMERCE RECEIVING FROM ERDA "...WRITTEN ASSURANCES THAT SUCH INFORMATION WILL BE GIVEN CONFIDENTIAL TREATMENT AND NOT BE DISCLOSED TO ANYONE OTHER THAN THE FOREIGN GOVERNMENT INVOLVED, AND ONLY AFTER RECEIVING WRITTEN ASSURANCES OF CONFIDENTIAL TREATMENT FROM SUCH GOVERNMENT"

3. IN A LETTER OF JULY 8, FROM ERDA (KRATZ) TO THE EMBASSY OF JAPAN (MURAKAMI), THE GOVERNMENT OF JAPAN WAS REQUESTED TO ASSURE THE USG THAT SUCH INFORMATION "...WILL BE TREATED AS CONFIDENTIAL AND WILL NOT BE DISCLOSED TO ANYONE OTHER THAN AUTHORIZED EMPLOYEES, WITH A NEED TO KNOW, OF THE CONCERNED JAPANESE GOVERNMENT ORGANIZATIONS AND OF THE FIRMS INVOLVED." SUBSEQUENTLY, MURAKAMI ADVISED THAT THE GOVERNMENT OF JAPAN COULD NOT REPEAT NOT GIVE SUCH ASSURANCE; THE REASON FOR ITS REFUSAL IS NOT CLEAR TO US. HOWEVER, MURAKAMI INDICATED THAT IF U.S. COULD SUPPLY THE CASE NUMBER, DATE OF APPLICATION, COMMODITY DESCRIPTION AND VALUE OF THE MATERIAL, EQUIPMENT OR DEVICE, JAPAN WOULD BE ABLE TO IDENTIFY THE END-USER THROUGH ITS "AUTHORIZED PERSON" PROCEDURE. APPARENTLY, THIS IS NOT WORKING IN ALL CASES. THUS, WE BELIEVE IT WOULD BE APPROPRIATE TO ASK THE MOFA TO RECONSIDER ITS EARLIER DECISION IN LIGHT OF THIS FACT AND DETERMINE WHETHER IT COULD NOW GIVE US THE ASSURANCE OF CONFIDENTIALITY REQUESTED IN ERDA'S LETTER OF JULY 8. KISSINGER

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NUCLEAR ENERGY, REGULATIONS, NUCLEAR FUELS, STRATEGIC TRADE CONTROLS, EXPORT CONTROLS
Control Number: n/a
Copy: SINGLE
Draft Date: 09 OCT 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE240715
Document Source: CORE
Document Unique ID: 00
Drafter: DHOYLE
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750351-0339, P750161-0035
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751069/aaaacjuq.tel
Line Count: 97
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN OES
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 STATE 233999, 75 TOKYO 13902
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 16 JUL 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <16 JUL 2003 by MartinML>; APPROVED <29 DEC 2003 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DEPARTMENT OF COMMERCE NUCLEAR EXPORT REGULATIONS
TAGS: TECH, ENRG, PARM, JA, US, COM
To: TOKYO
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006